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Attorneys for Defendant NuScale Power, LLC

[Additional counsel for defendants listed on the signature page]

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

JOHN J. SURINA, JR., trustee of the
Elizabeth Sophia Surina Trust and Nicholas
William Surina Trust; BRUCE LANDREY,
an individual, PAUL LORENZINI, an
individual, RICHARD SANDVIK, an
individual; EDWARD G. WALLACE, an
individual; JACK A. BAILEY, an
individual; GARY CARL BARBOUR, an
individual; PAUL D. BENNETT, an
individual; JAMES E. CARTER, an
individual; CHARLES MARCINKIEWICZ,
trustee of the Charles & Kathleen
Marcinkiewicz Trust; MICHAEL S.
MCGOUGH, an individual;
CHRISTOPHER RUNCKEL, an individual;
and JOE CLAYTON TURNAGE, an
individual, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

Case No.: 3:22-cv-01410-YY

UNOPPOSED MOTION FOR
EXTENSION OF TIME BY ALL
DEFENDANTS

NUSCALE POWER, LLC, an Oregon limited liability company, FLUOR ENTERPRISES, INC., a California corporation; JAPAN NUSCALE INNOVATION, LLC, a Delaware limited liability company; SARGENT & LUNDY NUHOLDINGS, LLC, an Illinois limited liability company,

Defendants.

L.R. 7.1 CERTIFICATION

Counsel for Defendants certify that they have conferred in good faith with counsel for Plaintiffs regarding this motion, and Plaintiffs' counsel consents to Defendants' request.

MOTION

Defendants, through their individual counsel, move this Court for an extension of fourteen (14) days, from January 31, 2023, up to and including February 14, 2023, within which to file and serve their reply briefs in support of their Motions to Dismiss Plaintiffs' Complaint. In support hereof, Defendants state as follows:

1. Plaintiffs filed their Complaint on September 19, 2022. Defendant NuScale Power, LLC was served on or about September 22, 2022, and the other Defendants—Flour Enterprises, Inc.; Japan NuScale Innovation, LLC; and Sargent & Lundy NuHoldings, LLC—were served shortly thereafter.
2. Defendants requested and received extensions of approximately thirty-nine (39) days within which to respond to Plaintiffs' Complaint. Defendants filed their Motions to Dismiss Plaintiffs' Complaint on November 21, 2022.

3. Plaintiffs requested and received a forty-three (43) day extension of time within which to serve Plaintiffs' response brief. Plaintiffs filed their brief in response to Defendants' motions on January 17, 2023.

4. Defendants' deadline to file their reply briefs is currently January 31, 2023.

Defendants request additional time to serve and file their reply briefs up to and including February 14, 2023. This extension is sought for good cause and not for purposes of delay. Additional time to reply is needed due to the complexity of this case, which involves multiple out-of-state parties and includes a considerable number of legal and factual issues.

DATED: January 23, 2023.

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NuHoldings, LLC